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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,480	04/16/2004	Vidur Apparao	AOL0145	1518
22862 7590 01/22/2007 GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			EXAMINER EHICHIOYA, FRED I	
			ART UNIT 2162	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/826,480

Applicant(s)

APPARAO ET AL.

Examiner

Fred I. Ehichioya

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) 1 - 44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 44 are pending in this Office Action.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 5 - 22 and 27 - 44 are rejected under 35 U.S.C. 101 because:

(i) These claims are directed to establishing and maintaining a categorized Web browsing history. The claimed subject matter lacks a practical application of judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful, concrete and tangible result. Specifically, the claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for “for URLs for which there is no category in said database, iteratively, retrying said reverse lookup using a less specific part of said URL until a category is found”. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value.

(ii) Claim 27 is directed to program per se. When the computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs are not physical “things.” They are neither computer components nor statutory

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processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized (MPEP 2106.01 [R-5] (I)). Merely amending the claim(s) to supply an appropriate medium is insufficient under USPTO policy to provide a fully patent-eligible claim under 35 USC 101

The claimed invention does not accomplish a "practical application" as forth in MPEP 2106 (II) (A).

Claims 6 - 22 depend from independent claim 5 and claims 28 - 44 depend from independent claim 27; these claims inherit the deficiencies of the independent claims respectively. Therefore, claims 6 - 22 and 28 - 44 are rejected under 35 U.S.C. 101 for the reasons stated above.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 4 and 23 - 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Briggs at al., "Briggs" U.S Patent No. 7,080,139.

Regarding claims 1 and 23, Briggs discloses a method for establishing and maintaining a categorized Web browsing history, comprising the steps of:

using a directory service (column 12, line 66 – column 13, line 2) to get category metadata about user visited URLs (column 2, lines 60 – 67); and

using metadata thus obtained to present a user's personal browser history in a category based hierarchy (column 2, line 66 – column 3, line 5).

Regarding claims 2 and 24, Briggs discloses wherein said directory service comprises the Open Directory Project (Fig. 15 step 1506 and column 3, line 4).

Regarding claims 3 and 25, Briggs discloses wherein said directory service comprises a database, that exposes a Web interface, and that allows navigating through categories to find Web sites (column 2, lines 50 – 55).

Regarding claims 4 and 26, Briggs discloses wherein said categories are structured as trees, where each node of a tree has zero or one parents and zero or many children (column 8, lines 37 – 38).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 5 – 17, and 27 – 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Jakob Nielsen, “Nielsen” U.S Patent No. 5,761,436.

Regarding claims 5 and 27, Nielsen discloses a method for establishing and maintaining a categorized Web browsing history, comprising the steps of:

performing a reverse lookup in a database to find a chain of categories for a URL (Fig. 4 and column 7, lines 1 – 10), every time a URL that has not been previously seen is added to a history (column 7, lines 11 – 15); and

for URLs for which there is no category in said database, iteratively retrying said reverse lookup using a less specific part of said URL until a category is found (column 7, lines 3 – 10).

Regarding claims 6 and 28, Nielsen discloses using standard relational database technology to store and query a local representation of said categories (column 8, lines 33 – 35).

Regarding claims 7 and 29, using a row in a first database table for each category node, wherein each row has a parent field to represent a node in a category chain (column 8, lines 7 – 12).

Regarding claims 8 and 30, Nielsen discloses using a second database table to store a relationship between each URL and its one specific category node (column 6, lines 1 – 4).

Regarding claims 9 and 31, Nielsen discloses given a category path, adding rows for any nodes that are not already in said local database (column 6, lines 56 – 63); and
setting parent links appropriately (column 6, lines 32 – 46).

Regarding claims 10 and 32, Nielsen discloses using standard relational database querying to find children categories of any given category by querying, for all category nodes whose parent is a given category (column 8, lines 20 – 26).

Regarding claims 11 and 33, Nielsen discloses finding all URLs for a given category by querying for all URLs associated with said category (column 6, lines 1 – 4).

Regarding claims 12 and 34, Nielsen discloses providing an interactive user interface that allows users to navigate among categories corresponding to URLs that have been previously visited while browsing (column 7, lines 3 – 8).

Regarding claims 13 and 35, Nielsen discloses wherein said interactive user interface does not include categories that correspond to pages a user has never visited (column 6, lines 17 – 18 and column 9, lines 1 – 2).

Regarding claims 14 and 36, Nielsen discloses wherein said user interface for a hierarchy of data can be displayed as either of a tree list and a series of Web-style pages (Absent).

Regarding claims 15 and 37, Nielsen discloses wherein said user interface allows users to re-find Web Sites by drilling down through familiar categories (column 4, lines 6 – 15).

Regarding claims 16 and 38, Nielsen discloses wherein said user interface allows users to discover groups of previously visited pages, which happen to fall into a same category (Fig. 4).

Regarding claims 17 and 39, Nielsen discloses wherein from any given category display, said user interface supplies a link back to a full Web page for that category; wherein within a same user interface, a user can focus on previously visited pages and then navigate to a wider view of similar pages that might be worth exploring (Fig. 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18 – 22 and 40 – 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen in view of Briggs.

Regarding claims 18 and 40, Nielsen discloses the claimed subject matter as discussed in the independent claims 5 and 27 respectively. Nielsen does not Open Directory Project as claimed.

Briggs discloses wherein said database comprises the Open Directory Project (column 3, line 4).

It would have been obvious to one of ordinary skills in the art at the time of present invention to combine the cited references because Briggs' teaching of Open Directory Project would have allow Nielsen's system to categorized previously visited

URLs and contents. This categorization makes it easy to select and display desired previously displayed URL links.

Regarding claims 19 and 41, Briggs discloses wherein said database exposes a Web interface, and allows navigating through categories to find Web sites (column 10, lines 1 – 11).

Regarding claims 20 and 42, Briggs discloses providing a plurality of Web browsing tools that display metadata and that allow capturing an image or Web page (column 2, line – column 3, line 5);

wherein said tools comprise any of Save Page and Stop Watching; and

wherein said metadata comprise any of Rating, Comments, Snapshots, and Categories (column 10, line 66 – column 11, line 17).

Regarding claims 21 and 43, Briggs discloses storing captured Web pages as part of a media library (column 3, lines 39 – 48);

wherein a captured Web page may be viewed and searched even if an original page is changed or becomes unavailable (column 6, lines 47 – 51).

Regarding claims 22 and 44, Briggs discloses viewing Web pages that have either been captured locally or that are part of a browsing history as any of a passively personalized Web favorites list and in a time-based history view (column 2, lines 45 – 66).

Conclusion

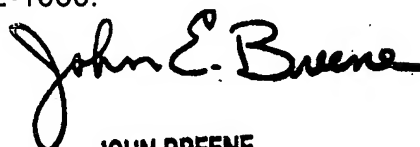
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred I. Ehichioya
Patent Examiner
Art Unit 2162
January 8, 2007




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